



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/067,148 Confirmation No.: 7636  
Applicant : Marie-Cecile van de Lavoir et al.  
Filing Date : February 1, 2002  
Title : CHIMERIC BIRD FROM EMBRYONIC STEM CELLS  
Group Art Unit : 1636  
Examiner : Sumesh Kaushal  
Docket No. : 700603.3  
Customer No. : 34313

Commissioner for Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

I. Submission required under 37 CFR § 1.114

- A. ☐ Previously submitted
1. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on \_\_\_\_\_
  2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  3. ☐ Other \_\_\_\_\_
- B. ☒ Enclosed
1. ☒ Amendment/Reply
  2. ☐ Affidavit(s)/Declarations(s)
  3. ☐ Information Disclosure Statement (IDS)
  4. ☐ Other \_\_\_\_\_

CERTIFICATE OF MAILING  
37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

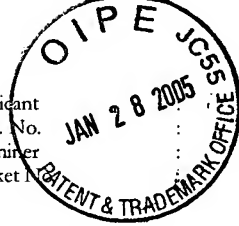
Dated: January 24, 2005

*Lynne Fulmer*  
Lynne Fulmer

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700603-3 K2M

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II. Miscellaneous

- A. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR § 1.17(i) required.)
- B. ☐ Other \_\_\_\_\_

III. Fees

- A. ☒ The Commissioner is hereby authorized to charge the following fees **\$895.00**, or credit any overpayments, to Deposit Account No. 15-0665

1. ☒ RCE fees (37 CFR §1.17(e):

|                             |                                                    |                                          |   |          |          |
|-----------------------------|----------------------------------------------------|------------------------------------------|---|----------|----------|
| RCE Fee                     |                                                    | \$790.00                                 |   |          |          |
|                             | Claims filed<br>or remaining<br>after<br>amendment | Highest number<br>previously paid<br>for |   |          |          |
| Total Claims                | -                                                  | = 0                                      | x | \$50.00  | \$ 0.00  |
| Independent<br>Claims       | -                                                  | = 0                                      | x | \$200.00 | \$0.00   |
| TOTAL OF ABOVE CALCULATIONS |                                                    |                                          |   |          | \$790.00 |

2. ☒ Extension of time fee (37 CFR §§ 1.136 and 1.17)

| EXTENSION<br>(months)                            | FEE FOR SMALL<br>ENTITY | FEE FOR OTHER THAN<br>SMALL ENTITY |
|--------------------------------------------------|-------------------------|------------------------------------|
| <input type="checkbox"/> one month               | \$60.00                 | \$120.00                           |
| <input type="checkbox"/> two months              | \$225.00                | \$450.00                           |
| <input checked="" type="checkbox"/> three months | \$510.00                | \$1,020.00                         |
| <input type="checkbox"/> four months             | \$795.00                | \$1,590.00                         |
| <input type="checkbox"/> five months             | \$1,080.00              | \$2,160.00                         |
| TOTAL OF ABOVE CALCULATIONS                      |                         |                                    |

3. ☐ Other \_\_\_\_\_

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- B. ☒ Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.  
C. ☐ Check in the amount of \$\_\_\_\_\_ is enclosed

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: January 24, 2005

By: \_\_\_\_\_

Kurt T. Mulville  
Reg. No. 37,194

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Customer Number: 34313

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marie-Cecile van de Lavoir, et al.

**Serial No.:** 10/067,148

**Filed:** February 1, 2002

**For: CHIMERIC BIRD FROM  
EMBRYONIC STEM CELLS**

**Group Art Unit: 1636**

**Examiner:** Sumesh Kaushal

## PRELIMINARY AMENDMENT TO ACCOMPANY RCE

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

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**37 CFR §1.8**

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January 24, 2005  
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Jodie Davis  
Jodie Davis